
SENATE BILL 6001

State of Washington

60th Legislature

2007 Regular Session

By Senators Pridemore, Poulsen, Rockefeller, Brown, Eide, Oemig, Hargrove, Marr, Fraser, Kohl-Welles, Keiser, Regala, Franklin, Fairley, Jacobsen, Shin, Haugen, Berkey, Spanel, Kline and Weinstein

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1 AN ACT Relating to mitigating the impacts of climate change; adding
2 a new section to chapter 43.19 RCW; adding a new section to chapter
3 35.92 RCW; adding a new section to chapter 54.04 RCW; adding a new
4 section to chapter 82.16 RCW; adding a new chapter to Title 43 RCW;
5 adding a new chapter to Title 80 RCW; and creating a new section.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

8 (a) Washington is especially vulnerable to climate change because
9 of the state's dependence on snow pack for summer stream flows and
10 because the expected rise in sea levels threatens our coastal
11 communities. Extreme weather, a warming Pacific Northwest, reduced
12 snow pack, and sea level rise are four major ways that climate change
13 is disrupting Washington's economy, environment, and communities;

14 (b) Washington's greenhouse gas emissions are continuing to
15 increase, despite international scientific consensus that worldwide
16 emissions must be reduced significantly below current levels to avert
17 catastrophic climate change;

18 (c) Washington has been a leader in actions to reduce the increase
19 of emissions, including the adoption of clean car standards, stronger

1 appliance energy efficiency standards, increased production and use of
2 renewable liquid fuels, and increased renewable energy sources by
3 electrical utilities;

4 (d) Washington has participated with other Western states in
5 designing regional approaches to reduce greenhouse gas emissions, and
6 a regional cap and trade mechanism will be more effective than if
7 implemented separately in each state;

8 (e) While these actions are significant, there is a need to assess
9 the trend of emissions statewide over the next several decades, and to
10 take sufficient actions so that Washington meets its responsibility to
11 contribute to the global actions needed to reduce the impacts and the
12 pace of global warming;

13 (f) Actions to reduce greenhouse gas emissions will spur technology
14 development and increase efficiency, thus resulting in benefits to
15 Washington's economy and businesses; and

16 (g) Numerous states and nations have adopted emission reduction
17 goals to assist emission sources with planning for changes in practices
18 and technologies.

19 (2) The legislature further finds that companies that generate
20 greenhouse gas emissions or manufacture products that generate such
21 emissions are purchasing carbon credits from landowners and from other
22 companies in order to provide carbon credits. Companies that are
23 purchasing carbon credits would benefit from a program to trade and to
24 bank carbon credits. Washington forests are one of the most effective
25 resources that can absorb carbon dioxide from the atmosphere. Forests,
26 and other planted lands and waters, provide carbon storage and mitigate
27 greenhouse gas emissions. Washington contains the most productive
28 forests in the world and both public and private landowners could
29 benefit from a carbon storage trading and banking program. The
30 legislature further finds that catastrophic forest fires are a major
31 source of greenhouse gas emissions, and that federal and state forest
32 land management should seek to manage forests to reduce the risk of
33 such fires.

34 (3) The legislature intends by this act to establish goals for the
35 statewide reduction in greenhouse gas emissions and reduction in
36 petroleum use, and to adopt the governor's mechanism in Executive Order
37 No. 07-02 to design and recommend a comprehensive set of measures to
38 accomplish the goals. The legislature further intends by this act to

1 authorize immediate actions in the electric power generation sector for
2 the reduction of greenhouse gas emissions and to accelerate efficiency
3 in the transportation sector.

4 NEW SECTION. **Sec. 2.** (1) By January 1, 2020, the annual statewide
5 greenhouse gas emission levels must be no greater than the emission
6 levels in 1990.

7 (2) By January 1, 2035, the annual statewide greenhouse gas
8 emission levels must be twenty-five percent below the emission levels
9 in 1990.

10 (3) By January 1, 2050, the annual statewide greenhouse gas
11 emission levels must be the lesser of:

12 (a) Fifty percent below the emission levels in 1990; or

13 (b) Seventy percent below the projected annual emission levels for
14 2050.

15 (4) By January 1, 2020, the total number of jobs in the clean
16 energy sector in the state must be increased from the estimated eight
17 thousand four hundred in 2004 to not less than twenty-five thousand
18 jobs.

19 (5) By January 1, 2020, the total expenditures for petroleum fuels
20 imported to the state shall be reduced twenty percent from the nine
21 billion six hundred million dollars expended in 2006.

22 NEW SECTION. **Sec. 3.** Executive Order No. 07-02 shall provide the
23 mechanisms for identifying the policies and strategies necessary to
24 achieve the economic and emission reduction goals of section 2 of this
25 act.

26 NEW SECTION. **Sec. 4.** By December 31st of each even-numbered year
27 beginning in 2010, the departments of ecology and community, trade, and
28 economic development shall report to the governor and the appropriate
29 committees of the senate and house of representatives the total
30 greenhouse gas emissions for the preceding two years, and totals in
31 each major source sector.

32 NEW SECTION. **Sec. 5.** (1) The legislature finds that:

33 (a) The United Nation's intergovernmental panel on climate change
34 report, released February 2, 2007, states that evidence of the

1 climate's warming "is unequivocal, as is now evident from observations
2 of increases in global average air and ocean temperatures, widespread
3 melting of snow and ice, and rising global mean sea level";

4 (b) Global warming will have serious adverse consequences on the
5 economy, health, and environment of Washington;

6 (c) During the last several years, the state has taken significant
7 strides towards implementing an environmentally and economically sound
8 energy policy through reliance on energy efficiency, conservation, and
9 renewable energy resources in order to promote a sustainable energy
10 future that ensures an adequate and reliable energy supply at
11 reasonable and stable prices;

12 (d) The governor, in Executive Order No. 07-02, has called for the
13 reduction of Washington's emission of greenhouse gases to 1990 levels
14 by 2020;

15 (e) To the extent energy efficiency and renewable resources are
16 unable to satisfy increasing energy and capacity needs, the state will
17 rely on clean and efficient fossil fuel fired generation and will
18 encourage the development of cost-effective, highly efficient, and
19 environmentally sound supply resources to provide reliability and
20 consistency with the state's energy priorities;

21 (f) It is vital to ensure all electric utilities internalize the
22 significant and underrecognized cost of emissions and to reduce
23 Washington's exposure to costs associated with future federal
24 regulation of these emissions;

25 (g) A greenhouse gases emissions performance standard for new long-
26 term financial commitments to electric generating resources will reduce
27 potential exposure of Washington's consumers to future reliability
28 problems in electricity supplies;

29 (h) To the extent energy efficiency and renewable resources are
30 unable to satisfy increasing energy and capacity needs, the state must
31 rely on clean and efficient fossil-fuel generation;

32 (i) The state of California recently enacted a law establishing a
33 greenhouse gases emissions performance standard for electric utility
34 procurement of baseload electric generation that is based on the
35 emissions of a combined-cycle thermal electric generation facility
36 fueled by natural gas; and

37 (j) The state of Washington has an obligation to provide clear
38 guidance for the procurement of baseload electric generation to

1 alleviate regulatory uncertainty while addressing risks that can affect
2 the ability of electric utilities to make necessary and timely
3 investments to ensure an adequate, reliable, and cost-effective supply
4 of electricity.

5 (2) The legislature declares that:

6 (a) A greenhouse gases emissions performance standard for new
7 long-term financial commitments for baseload electric generation should
8 reduce financial risk to electric utilities and their customers from
9 future pollution-control costs, without jeopardizing the state's
10 commitment to lowest reasonable cost resources and the need to maintain
11 a reliable regional electric system.

12 (b) A greenhouse gases emissions performance standard will
13 complement the state's carbon dioxide mitigation policy for
14 fossil-fueled thermal electric generation facilities under chapter
15 80.70 RCW.

16 (c) The need for long-term financial commitments for new baseload
17 electric generation can be reduced over time through the deployment by
18 electric utilities of technologies that improve the efficiency of
19 electricity production, transmission, distribution, and consumption.

20 NEW SECTION. **Sec. 6.** The definitions in this section apply
21 throughout this chapter unless the context clearly requires otherwise.

22 (1) "Attorney general" means the Washington state office of the
23 attorney general.

24 (2) "Auditor" means: (a) The Washington state auditor's office or
25 its designee for qualifying utilities under its jurisdiction that are
26 not investor-owned utilities; or (b) an independent auditor selected by
27 a qualifying utility that is not under the jurisdiction of the state
28 auditor and is not an investor-owned utility.

29 (3) "Baseload electric generation" means electric generation from
30 a power plant that is designed and intended to provide electricity at
31 an annualized plant capacity factor of at least sixty percent.

32 (4) "Cogeneration facility" means a power plant in which the heat
33 or steam is also used for industrial or commercial heating or cooling
34 purposes and that meets federal energy regulatory commission standards
35 for qualifying facilities under the public utility regulatory policies
36 act of 1978 (16 U.S.C. Sec. 824a-3), as amended.

1 (5) "Combined-cycle natural gas thermal electric generation
2 facility" means a power plant that employs a combination of one or more
3 gas turbines and steam turbines in which electricity is produced in the
4 steam turbine from otherwise lost waste heat exiting from one or more
5 of the gas turbines.

6 (6) "Commission" means the Washington utilities and transportation
7 commission.

8 (7) "Consumer-owned utility" means a municipal utility formed under
9 Title 35 RCW, a public utility district formed under Title 54 RCW, an
10 irrigation district formed under chapter 87.03 RCW, a cooperative
11 formed under chapter 23.86 RCW, a mutual corporation or association
12 formed under chapter 24.06 RCW, or port district within which an
13 industrial district has been established as authorized by Title 53 RCW,
14 that is engaged in the business of distributing electricity to more
15 than one retail electric customer in the state.

16 (8) "Council" means the energy facility site evaluation council
17 created in RCW 80.50.030.

18 (9) "Department" means the department of ecology.

19 (10) "Electrical company" means a company owned by investors that
20 meets the definition of RCW 80.04.010.

21 (11) "Electric utility" means an electrical company or a consumer-
22 owned utility.

23 (12) "Governing board" means the board of directors or legislative
24 authority of a consumer-owned utility.

25 (13) "Greenhouse gases" includes carbon dioxide, methane, nitrous
26 oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

27 (14) "Long-term financial commitment" means either a new ownership
28 investment in baseload electric generation, or a new or renewed
29 contract for baseload electric generation with a term of five or more
30 years.

31 (15) "Output-based methodology" means a greenhouse gases emissions
32 performance standard that is expressed in pounds of greenhouse gases
33 emitted per megawatt-hour and factoring in the useful thermal energy
34 employed for purposes other than the generation of electricity.

35 (16) "Plant capacity factor" means the ratio of the electricity
36 produced during a given time period, measured in kilowatt-hours, to the
37 electricity the unit could have produced if it had been operated at its
38 rated capacity during that period, expressed in kilowatt-hours.

1 (17) "Power plant" means a facility for the generation of
2 electricity that includes one or more generating units at the same
3 location.

4 NEW SECTION. **Sec. 7.** (1) On or before July 1, 2008, the
5 department, in consultation with the council, shall establish a
6 greenhouse gases emissions performance standard for all baseload
7 electric generation of electric utilities, at a rate of emissions of
8 greenhouse gases that is no higher than the rate of emissions of
9 greenhouse gases for a commercially available combined-cycle natural
10 gas thermal electric generation facility that provides baseload
11 electric generation. All combined-cycle natural gas thermal electric
12 generation facilities that are in operation, or that are permitted to
13 operate as of June 30, 2008, are deemed to be in compliance with the
14 greenhouse gases emissions performance standard established under this
15 section. In determining the rate of emissions of greenhouse gases for
16 baseload electric generation, the department shall include the net
17 emissions resulting from the production of electricity by the baseload
18 electric generation.

19 (2) The department shall establish an output-based methodology to
20 ensure that the calculation of emissions of greenhouse gases for a
21 cogeneration facility recognizes the total usable energy output of the
22 process, and includes all greenhouse gases emitted by the facility in
23 the production of both electrical and thermal energy. In developing
24 and implementing the greenhouse gases emissions performance standard,
25 the department shall consider and act in a manner consistent with any
26 rules adopted pursuant to the public utilities regulatory policy act of
27 1978 (16 U.S.C. Sec. 824a-3), as amended.

28 (3) Carbon dioxide that is injected in geological formations, so as
29 to prevent releases into the atmosphere, in compliance with applicable
30 laws and regulations may not be counted as emissions of the power plant
31 in determining compliance with the greenhouse gases emissions
32 performance standard.

33 (4) In adopting and implementing the greenhouse gases emissions
34 performance standard, the department, in consultation with the
35 commission, council, the Bonneville power administration, the western
36 electricity coordination council, and electric utilities shall consider

1 the effects of the greenhouse gases emissions performance standard on
2 system reliability and overall costs to electricity customers.

3 (5) In developing and implementing the greenhouse gases emissions
4 performance standard, the department shall, to the extent practicable,
5 address long-term purchases of electricity from unspecified sources in
6 a manner consistent with this chapter.

7 (6) The department shall adopt the greenhouse gases emissions
8 performance standard by rule pursuant to chapter 34.05 RCW, the
9 administrative procedure act. The department shall adopt rules to
10 enforce the requirements of this section, and adopt procedures to
11 verify the emissions of greenhouse gases from any baseload electric
12 generation supplied under a contract subject to the greenhouse gases
13 emissions performance standard to ensure compliance with the standard.
14 Enforcement of the greenhouse gases emissions performance standard must
15 begin immediately upon the establishment of the standard.

16 (7) The department shall adopt the rules necessary to implement
17 this section by June 30, 2008.

18 NEW SECTION. **Sec. 8.** (1) No electrical company may enter into a
19 long-term financial commitment unless the baseload electric generation
20 supplied under such a long-term financial commitment complies with the
21 greenhouse gases emissions performance standard established under
22 section 7 of this act.

23 (2) In order to enforce the requirements of this chapter, the
24 commission shall review and approve any long-term financial commitment
25 proposed to be entered into by an electrical company to determine
26 whether the baseload electric generation to be supplied under that
27 long-term financial commitment complies with the greenhouse gases
28 emissions performance standard established under section 7 of this act.
29 No electrical company may enter into a long-term financial commitment
30 unless the baseload electric generation to be supplied under that
31 long-term financial commitment complies with the greenhouse gases
32 emissions performance standard established under section 7 of this act.

33 (3) In determining whether a long-term financial commitment is for
34 baseload electric generation, the commission shall consider the design
35 of the power plant and its intended use, based upon the electricity
36 purchase contract, if any, permits necessary for the operation of the

1 power plant, and any other matter the commission determines is relevant
2 under the circumstances.

3 (4) Upon application by an electric utility, the commission may
4 provide a case-by-case exemption from the greenhouse gases emissions
5 performance standard to address: (a) Unanticipated electric system
6 reliability needs; or (b) extraordinary circumstances, catastrophic
7 events, or threat of significant financial harm that may arise from
8 unforeseen circumstances.

9 (5) Upon application by an electrical company, the commission shall
10 make a determination regarding the company's proposed decision to
11 acquire electric generation or enter into a power purchase agreement
12 for electricity that complies with the greenhouse gases emissions
13 performance standard established under section 7 of this act, as to the
14 need for the resource, and the appropriateness of the specific resource
15 selected. The commission shall take into consideration factors such as
16 the company's forecasted loads, need for energy, power plant
17 technology, expected costs, and other associated investment decisions.
18 In addition, the commission shall provide for recovery of the cost of
19 these resources, including full recovery of related fuel expense,
20 coincident with the in-service date of the project or the effective
21 date of the power purchase agreement.

22 (6) The commission shall add an increment of two percent to the
23 rate of return on common equity permitted on an electrical company's
24 other investments for: (a) The company's cost-effective investment in
25 energy efficiency end use measures that exceed the requirements of RCW
26 19.285.040(1); and (b) energy efficiency technologies, including any
27 device, instrument, machine, appliance, or process related to the
28 production, transmission, distribution, and consumption of electricity
29 to increase energy efficiency, including but not limited to smart grid
30 technology, smart meters, and demand response technologies. The rate
31 of return increment must be allowed for a period not to exceed thirty
32 years after the investment is first placed in the rate base.

33 (7) The commission shall apply the procedures adopted by the
34 council to verify the emissions of greenhouse gases from baseload
35 electric generation under section 7 of this act.

36 (8) The commission shall adopt rules for the enforcement of this
37 chapter with respect to electrical companies and adopt procedural rules

1 for approving costs incurred by an electrical company under subsection
2 (4) of this section.

3 (9) The commission shall adopt the rules necessary to implement
4 this section by June 30, 2008.

5 NEW SECTION. **Sec. 9.** (1) No consumer-owned utility may enter into
6 a long-term financial commitment unless the baseload electric
7 generation supplied under such a long-term financial commitment
8 complies with the greenhouse gases emissions performance standard
9 established under section 7 of this act.

10 (2) The governing board of a consumer-owned utility shall review
11 and approve any long-term financial commitment proposed to be entered
12 into by the utility to determine whether the baseload electric
13 generation to be supplied under that long-term financial commitment
14 complies with the greenhouse gases emissions performance standard
15 established under section 7 of this act. No consumer-owned utility may
16 enter into a long-term financial commitment unless the baseload
17 electric generation to be supplied under that long-term financial
18 commitment complies with the greenhouse gases emissions performance
19 standard established under section 7 of this act.

20 (3) In confirming that a long-term financial commitment is for
21 baseload electric generation, the governing board shall consider the
22 design of the power plant and the intended use of the power plant based
23 upon the electricity purchase contract, if any, permits necessary for
24 the operation of the power plant, and any other matter the governing
25 board determines is relevant under the circumstances.

26 (4) The governing board may provide a case-by-case exemption from
27 the greenhouse gases emissions performance standard to address: (a)
28 Unanticipated electric system reliability needs; or (b) extraordinary
29 circumstances, catastrophic events, or threat of significant financial
30 harm that may arise from unforeseen circumstances.

31 (5) The governing board shall apply the procedures adopted by the
32 council to verify the emissions of greenhouse gases from baseload
33 electric generation pursuant to section 7 of this act, and may request
34 assistance from the council in doing so.

35 (6) For consumer-owned utilities, the auditor is responsible for
36 auditing compliance with this chapter and rules adopted under this

1 chapter that apply to those utilities and the attorney general is
2 responsible for enforcing that compliance.

3 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.19 RCW
4 to read as follows:

5 (1) During the biennium ending June 30, 2009, the department of
6 general administration is authorized to purchase at least one hundred
7 plug-in electric hybrid vehicles for state agency light duty vehicle
8 uses, when commercially available at comparable life costs to other
9 vehicles. At least twenty-five of the vehicles must be assigned for
10 use by state agency directors. The vehicles must bear a prominent
11 designation as a plug-in electric hybrid vehicle. The department of
12 general administration shall develop a purchasing contract under which
13 state agencies and local governments may purchase plug-in electric
14 hybrid vehicles.

15 (2) By December 31, 2009, the department of general administration
16 shall provide a report to the transportation and energy committees of
17 the senate and house of representatives on the acquisition of these
18 vehicles and their operational and maintenance performance.

19 NEW SECTION. **Sec. 11.** The legislature finds and declares that
20 offset contracts and other greenhouse gases mitigation efforts are a
21 recognized utility purpose that confers a direct benefit on the
22 utility's ratepayers. The legislature declares that sections 12 and 13
23 of this act are intended to reverse the result of *Okeson v. City of*
24 *Seattle*, No. 77888-4 (January 18, 2007), by expressly granting
25 municipal utilities and public utility districts the statutory
26 authority to engage in mitigation activities to offset their utility's
27 impact on the environment.

28 NEW SECTION. **Sec. 12.** A new section is added to chapter 35.92 RCW
29 to read as follows:

30 (1) A city or town authorized to acquire and operate utilities for
31 the purpose of furnishing the city or town and its inhabitants and
32 other persons with electricity for lighting and other purposes may
33 develop and make publicly available a plan for the utility to reduce
34 greenhouse gases up to and including a plan to achieve no-net emissions

1 from all sources of greenhouse gases it owns, leases, uses, contracts
2 for, or otherwise controls.

3 (2) A city or town authorized to acquire and operate utilities for
4 the purpose of furnishing the city or town and its inhabitants and
5 other persons with electricity for lighting and other purposes may, as
6 part of its utility operation, mitigate the environmental impacts of
7 its operation and any power purchases, such as greenhouse gases
8 emissions. The mitigation may include all greenhouse gases mitigation
9 mechanisms recognized by independent, qualified organizations with
10 proven experience in emissions mitigation activities. Mitigation
11 mechanisms may include the purchase, trade, and banking of carbon
12 offsets or credits. Any carbon offset or credit purchased after the
13 effective date of this section must be recognized by any greenhouse
14 gases registry developed by the state.

15 NEW SECTION. **Sec. 13.** A new section is added to chapter 54.04 RCW
16 to read as follows:

17 (1) A public utility district may develop and make publicly
18 available a plan for the district to reduce greenhouse gases up to and
19 including a plan to achieve no-net emissions from all sources of
20 greenhouse gases it owns, leases, uses, contracts for, or otherwise
21 controls.

22 (2) A public utility district may, as part of its utility
23 operation, mitigate the environmental impacts of its operation and any
24 power purchases, such as greenhouse gases emissions. The mitigation
25 may include all greenhouse gases mitigation mechanisms recognized by
26 independent, qualified organizations with proven experience in
27 emissions mitigation activities. Mitigation mechanisms may include the
28 purchase, trade, and banking of carbon offsets or credits. Any carbon
29 offset or credit purchased after the effective date of this section
30 must be recognized by any greenhouse gases registry developed by the
31 state.

32 NEW SECTION. **Sec. 14.** (1) The office of Washington state
33 climatologist is created.

34 (2) The office of Washington state climatologist consists of the
35 director of the office, who is the state climatologist, and appropriate

1 staff and administrative support as necessary to carry out the powers
2 and duties of the office as enumerated in section 15 of this act.

3 (3) The director of the office of Washington state climatologist
4 must be appointed jointly by the president of Washington State
5 University and the president of the University of Washington. The
6 office of Washington state climatologist is administered as determined
7 jointly by these two presidents.

8 NEW SECTION. **Sec. 15.** The office of Washington state
9 climatologist has the following powers and duties:

10 (1) To serve as a credible and expert source of climate and weather
11 information for state and local decision makers and agencies working on
12 drought, flooding, climate change, and other related issues;

13 (2) To gather and disseminate, and where practicable archive, in
14 the most cost-effective manner possible, all climate and weather
15 information that is or could be of value to policy and decision makers
16 in the state;

17 (3) To act as the representative of the state in all climatological
18 and meteorological matters, both within and outside of the state, when
19 requested by the legislative or executive branches of the state
20 government;

21 (4) To prepare, publish, and disseminate climate summaries for
22 those individuals, agencies, and organizations whose activities are
23 related to the welfare of the state and are affected by climate and
24 weather;

25 (5) To supply critical information for drought preparedness and
26 emergency response as needed to implement the state's drought
27 contingency response plan maintained by the department of ecology under
28 RCW 43.83B.410, and to serve as a member of the state's drought water
29 supply and emergency response committees as may be formed in response
30 to a drought event;

31 (6) To conduct and report on studies of climate and weather
32 phenomena of significant socioeconomic importance to the state; and

33 (7) To evaluate the significance of natural and man-made changes in
34 important features of the climate affecting the state, and to report
35 this information to those agencies and organizations in the state who
36 are likely to be affected by these changes.

1 NEW SECTION. **Sec. 16.** A new section is added to chapter 82.16 RCW
2 to read as follows:

3 (1) Subject to the limitations in this section, an eligible light
4 and power business may claim a credit against the tax imposed under
5 this chapter.

6 (2) The amount of credit is equal to two percent annually, for a
7 period of thirty years, of the cost of: (a) Cost-effective investments
8 in energy efficiency end use measures that exceed the requirements of
9 RCW 19.285.040(1); and (b) energy efficiency technologies, including
10 any device, instrument, machine, appliance, or process related to the
11 production, transmission, distribution, and consumption of electricity
12 to increase energy efficiency, including but not limited to smart grid
13 technology, smart meters, and demand response technologies.

14 (3) For purposes of this section, "eligible light and power
15 business" means a municipal utility formed under Title 35 RCW, a public
16 utility district formed under Title 54 RCW, an irrigation district
17 formed under chapter 87.03 RCW, a cooperative formed under chapter
18 23.86 RCW, a mutual corporation or association formed under chapter
19 24.06 RCW, or port district within which an industrial district has
20 been established as authorized by Title 53 RCW, that is engaged in the
21 business of distributing electricity to more than one retail electric
22 customer in the state.

23 NEW SECTION. **Sec. 17.** Sections 1 through 4, 14, and 15 of this
24 act constitute a new chapter in Title 43 RCW.

25 NEW SECTION. **Sec. 18.** Sections 5 through 9 of this act constitute
26 a new chapter in Title 80 RCW.

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